

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

JAY FRANCO & SONS, Inc.,

Plaintiff,

v.

CLEMENS FRANEK,

Defendant.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

Civil Action No. 1:08-cv-01313  
Consolidated with No. 1:08-cv-0058

Judge Dow

JURY DEMAND

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that on **Thursday, August 28, 2008 at 9:15 a.m.**, we shall appear before the Honorable Judge Dow, or any Judge sitting in his stead, in Room 1919 at Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago 60604 and present **Defendant's Motion for Leave to File Sur-Reply Brief**, herewith served upon you.

/s/ Mark D. Roth

**PROOF OF SERVICE**

I, Mark D. Roth, an attorney, certify that I served **Defendant's Motion for Leave to File Sur-Reply Brief** via ECF notification to counsels of record on August 20, 2008.

/s/ Mark D. Roth

Mark D. Roth  
ORUM & ROTH, LLC  
53 W. Jackson Blvd.  
Suite 1616  
Chicago, Illinois 60604  
(312) 922-6262